

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** Chair Llew Jones, on March 27, 2017 at 8:05 AM, in Room 317 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Llew Jones, Chair (R)  
Sen. Frederick (Eric) Moore, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. Mary Caferro (D)  
Sen. Terry Gauthier (R)  
Sen. David Howard (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Bob Keenan (R)  
Sen. Mike Lang (R)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Ryan Osmundson (R)  
Sen. Mike Phillips (D)  
Sen. Jon C. Sesso (D)  
Sen. Cary Smith (R)  
Sen. Jeffrey W. Welborn (R)  
Sen. Lea Whitford (D)  
Sen. Cynthia Wolken (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Prudence Gildroy, Committee Secretary  
Julie Johnson, Legislative Branch  
Kris Wilkinson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 2, 3/17/2017; SB 338, 3/24/2017

Executive Action: SB 338, Do Pass As Amended

**HEARING ON HB 2**

**Section C - Natural Resources and Transportation**

**Department of Fish, Wildlife and Parks**

00:01:07 Rep. Carl Glimm, HD 6 opened on Section C.

Chair Jones left the meeting, and Sen. Moore assumed the duties of Chair.

**Proponents' Testimony:**

00:14:33 Martha Williams, director, Department of Fish, Wildlife and Parks (FWP)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:21:26 Sen. Phillips  
00:21:41 Sen. Kary  
00:21:58 Ms. Williams, FWP  
00:22:12 Dustin Temple, FWP  
00:22:26 Sen. Wolken  
00:22:45 Ms. Williams  
00:22:53 Sen. Lang  
00:23:47 Ms. Williams  
00:24:33 Sen. Lang  
00:24:38 Ms. Williams  
00:24:48 Sen. Whitford  
00:25:08 Ms. Williams  
00:25:20 Sen. Whitford  
00:25:35 Ms. Williams  
00:26:15 Sen. Whitford  
00:26:25 Rep. Glimm  
00:28:13 Sen. Whitford  
00:28:42 Rep. Glimm  
00:28:51 Sen. Whitford  
00:29:17 Sen. Phillips  
00:30:03 Ms. Williams  
00:32:47 Mr. Temple  
00:34:32 Chair Moore

**Department of Environmental Quality**

**Proponents' Testimony:**

00:35:14 Tom Livers, director, Department of Environmental Quality (DEQ)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:41:33	Sen. Sesso
00:42:06	Rep. Glimm
00:42:48	Sen. Sesso
00:43:13	Mr. Livers, DEQ
00:44:12	Sen. Sesso
00:44:25	Mr. Livers
00:47:01	Sen. Sesso
00:47:48	Rep. Glimm
00:49:16	Mr. Livers
00:50:19	Sen. Sesso

**Department of Transportation**

**Proponents' Testimony:**

00:50:39	Mike Tooley, director, Department of Transportation (MDT)
00:58:12	Cary Hegreberg, Montana Contractors' Association

**Opponents' Testimony:**

00:59:41	Tricia McKenna, chair, Montana Aeronautics Board
01:01:34	Chuck Flynn, pilot, Montana Pilots Association
01:05:31	John Maxness, Aviation Organizations of Montana
01:07:46	John McKenna, chairman, Montana Aviation Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:09:39	Sen. Sesso
01:09:53	Rep. Glimm
01:10:11	Sen. Sesso
01:10:46	Rep. Glimm
01:10:55	Sen. Lang
01:11:12	Rep. Glimm

**Department of Livestock**

**Proponents' Testimony:**

01:11:39	John Scully, Board of Livestock, Department of Livestock (DOL)
01:16:23	Mike Honeycutt, executive officer, DOL

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:18:32 Chair Moore  
01:18:57 Mr. Honeycutt, DOL  
01:21:23 Chair Moore  
01:21:37 Rep. Glimm  
01:21:48 Sen. Whitford  
01:22:39 Mr. Scully, DOL  
01:26:13 Sen. Whitford  
01:26:34 Mr. Scully  
01:27:00 Sen. Phillips  
01:27:14 Rep. Glimm

**Department of Natural Resources and Conservation**

**Proponents' Testimony:**

01:27:51 John Tubbs, director, Department of Natural Resources and Conservation (DNRC)  
01:32:52 Gayla Wortman, Cascade Conservation District  
01:34:38 Dan Rostad, Yellowstone River Conservation District Council  
01:38:44 Rachel Frost, Missouri Conservation District Council  
01:40:55 Jerry Williams, Yellowstone Conservation District  
01:43:35 Jane Holzer, director, Montana Salinity Control Association  
01:45:57 Steve Wade, St. Mary's Rehabilitation Group, North Central Regional Water Authority, Montana Rural Water Systems

**EXHIBIT(fcs63a01)**

01:48:06 Krista Lee Evans, Dry Prairie Rural Water Authority  
01:48:38 Alan Olson, executive director, Montana Petroleum Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Department of Agriculture**

**Proponents' Testimony:**

01:51:13 Ben Thomas, director, Department of Agriculture

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

01:52:06 Chair Moore

01:52:39 Rep. Glimm

01:53:00 Recess

02:06:46 Reconvene

**Section D - Corrections and Public Safety**

02:07:44 Rep. Randy Brodehl, HD 9, opened Section D.

[EXHIBIT\(fcs63a02\)](#)

**Judiciary**

**Proponents' Testimony:**

02:22:19 Beth McLaughlin, court administrator, Judicial Branch

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Crime Control Division**

**Proponents' Testimony:**

02:25:24 Deb Matteucci, director, Board of Crime Control (BCC)

02:29:00 Brian Gootkin, Gallatin County Sheriff and representing Montana Sheriffs and Peace Officers Association

02:29:53 Steve White, Gallatin County Commissioner and Southwest Regional Juvenile Detention Services

02:31:49 Sheryl Wood, associate director, Montana Association of Counties

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:32:54 Sen. Whitford

02:33:47 Ms. Matteucci, BCC

02:33:56 Sen. Whitford

02:34:24 Ms. Matteucci

**Department of Justice**

**Proponents' Testimony:**

02:35:08 Attorney General Tim Fox

02:38:38 Mark Taylor, Association of Montana Troopers

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Public Service Commission**

**Proponents' Testimony:**

02:39:30 Brad Johnson, chairman, Public Service Commission (PSC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:47:14 Sen. Whitford

02:47:49 Mr. Johnson, PSC

**Office of the Public Defender**

**Proponents' Testimony:**

02:49:27 William Hooks, chief public defender, Office of the Public Defender (OPD)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Department of Corrections**

**Proponents' Testimony:**

02:50:47 Loraine Wodnik, interim director, Department of Corrections (COR)

**Opponents' Testimony:**

02:54:45 Dave Galt, Montana Sheriffs and Peace Officers Association

02:57:45 Sheryl Wood, Montana Association of Counties (MACo)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:59:08 Sen. Whitford  
 03:00:03 Rep. Brodehl  
 03:03:28 Sen. Whitford  
 03:03:57 Rep. Brodehl  
 03:04:48 Sen. Whitford  
 03:05:30 Ms. Wodnick, COR  
 03:06:12 Sen. Whitford  
 03:06:36 Ms. Wood, MACo  
 03:07:23 Chair Moore  
 03:07:51 Ms. Wood  
 03:08:21 Chair Moore  
 03:08:37 Rep. Brodehl  
 03:10:18 Sen. Wolken  
 03:10:52 Rep. Brodehl  
 03:11:37 Sen. Lang  
 03:12:05 Rep. Brodehl  
 03:13:19 Sen. Lang  
 03:13:49 Ms. Wodnik  
 03:14:24 Sen. Lang  
 03:15:07 Rep. Brodehl  
 03:16:31 Chair Moore

**Closing by Sponsor:**

03:17:00 Rep. Brodehl  
 03:20:38 Chair Moore  
 03:21:24 Recess  
 06:11:20 Reconvene  
 06:11:22 Sen. Jones assumed the duties of Chair

**HEARING ON SB 338**

**Opening Statement by Sponsor:**

06:12:40 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 338, Revise laws related to closure of certain coal-fired generation.

**Proponents' Testimony:**

06:14:23 Dave Galt, Montana Association of Coal, Oil and Gas Counties  
 06:14:48 Bob Gilbert, City of Colstrip, City of Glendive, Rosebud County

06:15:12 Eric Bryson, Montana Association of Counties  
 06:15:25 Eric Feaver, MEA-MFT  
 06:15:37 Jess LaBuff, Boilermakers Local #11

**Opponents' Testimony:**

06:16:02 Bob Story, Montana Taxpayers Association  
 06:16:49 Tom Ebzery, Puget Sound Energy (PSE), Portland General Electric, Avista Corporation  
 06:18:32 Jon Metropoulos, Talen Montana  
 06:20:41 Jim Jensen, executive director, Montana Environmental Information Center

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

06:22:47 Sen. Howard  
 06:23:27 Mr. Ebzery, PSE  
 06:24:56 Sen. Howard  
 06:25:05 Mr. Ebzery  
 06:25:24 Sen. Welborn  
 06:25:36 Sen. Howard

**Closing by Sponsor:**

06:26:06 Sen. Ankney  
  
 06:27:26 Chair Jones  
 06:28:18 Sen. Phillips  
 06:28:22 Sen. Ankney  
 06:28:35 Chair Jones  
 06:28:39 Sen. Ankney

**EXECUTIVE ACTION ON SB 338**

06:28:55 **Motion:** Sen. Ankney moved that **SB 338 DO PASS.**  
  
 06:29:07 **Motion:** Sen. Ankney moved that **SB 338 BE AMENDED CONCEPTUALLY** that the Department of Environmental Quality shall implement [this act] within existing resources .

**Discussion:**

06:30:02 Sen. Sesso  
 06:30:12 Sen. Ankney  
 06:30:32 Sen. Sesso  
 06:30:46 Sen. Osmundson  
 06:31:07 Chair Jones  
 06:31:33 Sen. Moore  
 06:31:51 Sen. Ankney

06:32:18 Sen. Sesso  
06:32:44 Chair Jones  
06:32:49 Sen. Phillips

06:33:16 **Vote:** Motion carried unanimously by voice vote.

06:33:21 **Motion:** Sen. Moore moved that **SB 338 DO PASS AS AMENDED.**

**Discussion:**

06:33:28 Sen. Sesso  
06:34:14 Sen. Ankney  
06:34:23 Sen. Sesso  
06:35:25 Sen. Ankney  
06:36:02 Sen. Sesso  
06:36:32 Sen. Howard  
06:36:41 Chair Jones  
06:36:53 Sen. Ankney  
06:37:16 Sen. Sesso  
06:37:28 Chair Jones  
06:37:45 Sen. Sesso

06:37:54 **Vote:** Motion carried 17-1 by voice vote with Sen. Howard voting no.

**Committee Business:**

06:38:25 Kris Wilkinson, Legislative Fiscal Division  
06:38:30 Chair Jones

**ADJOURNMENT**

Adjournment: 2:44 PM

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Prudence Gildroy, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT**([fcs63aad.pdf](#))